



Section #

Dkt. 0575/62683/JPW/JML

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : David J. Pinsky, et al.
U.S. Serial No.: 09/648,389
Filed : August 25, 2000
For : METHODS FOR SUPPRESSING EARLY GROWTH
RESPONSE-1 PROTEIN (EGR-1) TO REDUCE
VASCULAR INJURY IN A SUBJECT

1185 Avenue of the Americas
New York, New York 10036
November 22, 2000

Assistant Commissioner for Patents
Washington, D.C. 20231

ATTN: Box Missing Parts

Sir:

**COMMUNICATION IN RESPONSE TO
OCTOBER 24, 2000 NOTICE TO FILE MISSING
PARTS OF APPLICATION UNDER 37 C.F.R. §1.53(b)**

This Communication is submitted in reply to a Notice to File Missing Parts of Application under 37 C.F.R. §1.53(b) Filing Date Granted by the U.S. Patent and Trademark Office in connection with the above-identified application on October 24, 2000, a copy of which is enclosed as **Exhibit A**. The surcharge for responding to the Notice to File Missing Parts of Application under 37 C.F.R. §1.53(b) is SIXTY FIVE DOLLARS (\$65.00) for a small entity. Applicants attach hereto as **Exhibit C** a signed, Verified Statement Claiming Small Entity Status and maintain that small entity status is applicable. A check including \$65.00 is enclosed herewith. In accordance with the Notice, the deadline for submitting a response is December 24, 2000. Accordingly, this Communication is being timely filed.

Applicants: David M. Stern, et al.
U.S. Serial No.: 09/648,389
Filing Date: August 25, 2000
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Applicants submit herewith as **Exhibit B** a Declaration and Power of Attorney pursuant to 37 C.F.R. §1.53(d) and in compliance with 37 C.F.R. §1.63. The Declaration refers to the application's above-identified serial number and filing date.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorneys invite the Examiner to telephone at the number provided below.

No fee, other than the enclosed \$65.00 surcharge fee, is deemed necessary in connection with the filing of this Communication. If any additional fees are required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

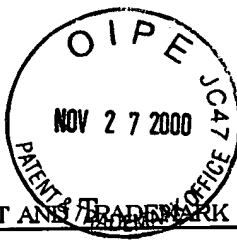
I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:
Assistant Commissioner for Patents
Washington, D.C. 20231

Jane M. Love 11/22/00
Date

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/648,389	08/25/2000	David Pinsky	62683/JPW/JML

Cooper & Dunham LLP
1185 Avenue of the Americas
New York, NY 10036

FORMALITIES LETTER



OC000000005500434

Date Mailed: 10/24/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

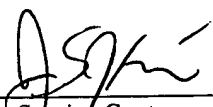
FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center

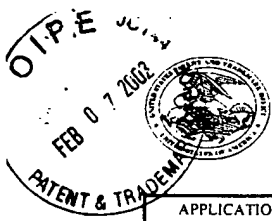
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

11/29/2000 GTEFFERA 00000030 09648389

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/648,389	08/25/2000	David Pinsky	62683/JPW/JML	5890

7590 11/26/2001

Cooper & Dunham LLP
1185 Avenue of the Americas
New York, NY 10036

EXAMINER

CHEN, SHIN LIN

ART UNIT	PAPER NUMBER
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1633

DATE MAILED: 11/26/2001

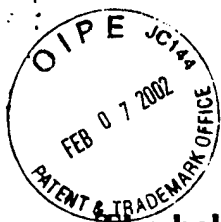
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Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED

FEB 13 2002

TECH CENTER 1600/2900



Attachment for PTO-948 (Rev. 03/01, or earlier)
6/18/01

The below text replaces the pre-printed text under the heading, "Information on How to Effect Drawing Changes," on the back of the PTO-948 (Rev. 03/01, or earlier) form.

INFORMATION ON HOW TO EFFECT DRAWING CHANGES **RECEIVED**

FEB 13 2002
TECH CENTER 1600/2900

1. Correction of Informalities -- 37 CFR 1.85

New corrected drawings must be filed with the changes incorporated therein. Identifying indicia, if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and centered within the top margin. If corrected drawings are required in a Notice of Allowability (PTOL-37), the new drawings **MUST** be filed within the **THREE MONTH** shortened statutory period set for reply in the Notice of Allowability. Extensions of time may **NOT** be obtained under the provisions of 37 CFR 1.136(a) or (b) for filing the corrected drawings after the mailing of a Notice of Allowability. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

2. Corrections other than Informalities Noted by Draftsperson on form PTO-948.

All changes to the drawings, other than informalities noted by the Draftsperson, **MUST** be made in the same manner as above except that, normally, a highlighted (preferably red ink) sketch of the changes to be incorporated into the new drawings **MUST** be approved by the examiner before the application will be allowed. No changes will be permitted to be made, other than correction of informalities, unless the examiner has approved the proposed changes.

Timing of Corrections

Applicant is required to submit the drawing corrections within the time period set in the attached Office communication. See 37 CFR 1.85(a).

Failure to take corrective action within the set period will result in **ABANDONMENT** of the application.